

MORRISON | FOERSTER

250 WEST 55TH STREET
NEW YORK, NY 10019-9601
TELEPHONE: 212.468.8000
FACSIMILE: 212.468.7900
WWW.MOFO.COM

MORRISON & FOERSTER LLP
BEIJING, BERLIN, BOSTON,
BRUSSELS, DENVER, HONG KONG,
LONDON, LOS ANGELES, NEW YORK,
NORTHERN VIRGINIA, PALO ALTO,
SAN DIEGO, SAN FRANCISCO, SHANGHAI
SINGAPORE, TOKYO, WASHINGTON, D.C.

November 1, 2022

Writer's Direct Contact
+1 (212) 468.8049
CCohen@mofo.com

By ECF and Hand Delivery

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *United States v. Sylvia Ash*, 19 Cr. 780 (LAK)

Dear Judge Kaplan:

We respectfully submit this letter on behalf of defendant Sylvia Ash in connection with the above-referenced matter. We hereby request an adjournment of the date on which Ms. Ash must complete the next payment of the fine imposed by the Court, which is currently due today, November 1, 2022, and request an adjustment of the payment schedule as outlined below.

At the April 25, 2022 sentencing hearing in this matter, and in the Judgment of Conviction (the "Judgment") (ECF No. 180), the Court imposed a fine of \$80,000 on Ms. Ash, with the initial payment of \$10,000 due on or before May 1, 2022. The remaining two \$35,000 installments, as set forth in the Judgment, are due on or before November 1, 2022 and May 1, 2023.

On May 3, 2022, the Court granted Ms. Ash's request to adjourn the deadline for her initial payment of \$10,000 to be made by June 1, 2022 (ECF No. 184). On May 31, Ms. Ash made a payment of \$5,000 towards the fine imposed by the Court. The Court extended the deadline for her to complete the remaining portion of her initial fine payment until July 15, 2022, (ECF No. 189), and Ms. Ash timely made such payment of \$5,000 on July 11, 2022.

On October 30, 2022, Ms. Ash made an additional \$5,000 payment towards her fine. At present, Ms. Ash does not have sufficient liquid assets to pay the remaining \$30,000 presently due on November 1, 2022. As discussed during the sentencing hearing, much of Ms. Ash's net worth is held in real estate and thus is not easily liquidated. To secure funds to satisfy the fine imposed by the Court, Ms. Ash has agreed with her siblings to sell the property that they own jointly. The property has been and remains listed for sale with a realtor but, to date, no offer has been received.

MORRISON | FOERSTER

The Honorable Lewis A. Kaplan
November 1, 2022
Page Two

Accordingly, Ms. Ash respectfully requests that the Court amend her fine payment schedule with respect to the \$65,000 that remains outstanding. Ms. Ash respectfully submits that she be permitted to make monthly payments beginning on December 1, 2022 of \$1,000 until the fine is paid in full. Of course, Ms. Ash would agree to make payment in full on any outstanding fine balance within 30 days of the closing of the sale of the property she owns jointly with her siblings.

The government objects to this request.

Respectfully submitted,

/s/ Carrie H. Cohen

Carrie H. Cohen

cc: Counsel of record (by ECF and email)